

Date: 01/16/2003 08:12 pm (Thursday)
From: "bob belive" <bobbelive@msn.com>
To: FTC.SERIOUS("weightloss@ftc.gov")
Subject: Public Comment On Deceptive Weight Loss Advertising
Workshop

Dear Commissioner,

I have attended the workshop, and have written the following article

Deceptive Weight Loss Advertising Is Here To Stay
By Bob Belive

After attending a public workshop about "Deceptive Weight Loss Advertising," on November 19, 2002 at the Federal Trade Commission in Washington D.C. I didn't leave very encouraged. There was an array of people on the three panel groups, Science, Industry, and Media with impressive credentials in their respective fields. But, I was listening for key things in order to see what, if anything, was to be accomplished or learned from their discussion, research, and point of view.

Although all the panelists agreed that there is rampant deceptive weight loss advertising all around us, no one was willing to step up to the plate and make some firm decisions or guidelines to stop it. Although it wasn't specifically spelled out, the bottom line, as usual, is that preying on the overweight and obese generates \$Billions of dollars not only for advertisers like radio, television, newspaper, and magazines, but for the companies and promoters that are selling the junk to begin with. Lets face it, who cares anyway? It's only fat people who don't have the willpower or self-control to stop stuffing themselves until they become obese. Therefore, we call it an "OBESITY EPIDEMIC."

Sure, the FTC has stopped some of the deceptive advertising like "Exercise In A Bottle" or the "Weight Loss Earrings." But for the most part there is such an immense amount of gray area that surrounds effective weight loss and the advertising that goes along with it that it's almost impossible to police it unless someone is willing to stick their neck out to make some obvious claims about the entire business.

This brings me to introduce you to my point of view and why I went to this workshop in the first place. About four years ago I successfully lost 100-pounds. No, I didn't join a weight loss organization, use any dietary supplements, count calories, or follow low carb/no carb plans similar to the Atkins Diet. I began eating three meals a day, avoided eating obvious things like candy, cookies, alcohol consumption and in general foods that I knew were not the best things to consume while trying to lose weight. I cut back my food portions a little at a time and ate a variety of food. Within a year, I was 100-pounds lighter and since I didn't really give up any specific foods, there was no going off a diet when I reached my goal and therefore nothing to change. I began to eat some of the things I avoided while losing weight, but in moderation. I assure you, there was a great deal to be learned from losing weight in this fashion because it was so simple to me that I don't remember even doing it. Something, by the way, millions of people cannot do. This was the knowledge I armed myself with when I went to Washington.

I had every intention of putting forth my point of view about what it really takes to lose weight, since I have first hand knowledge, and dismissing some of the baloney that the experts seem to be discussing. However, there was no audience participation in the workshop. So, I listened, took notes, and gave Leslie Fair an attorney for the FTC and workshop organizer some of my before and after pictures and articles I had published on the subject. The science panel was arguing about what the words, Major, Rapid, Substantial, Drug or Dietary Supplement, and their relationship and true meaning were in a weight loss ad. I interpreted this, as "Are people really that stupid?" Can't they see that this is really just a con game? You can have all the discussion you want about the proper terms for the ads until you are blue in the face. The fact of the matter is the only thing that will ever work, outside of caving in to Gastric Bypass Surgery, is reducing the amount of calories you eat compared to what you are burning off. Without getting complicated, lifestyle change.

Does this mean that a person has to exercise common sense and supply some good old-fashioned willpower to the equation? I'm afraid so. Does anyone really want to tackle a lifestyle change when you can just take some pills, go to sleep, and wake up weighing less? Of course not. Why would someone want to work to achieve something the hard way when they can simply look at an ad that promises that they don't have to do any work at all, eat all the food they want whenever they want, not change their lifestyle and achieve fantastic results by buying some product or device promising to do the work for you. When you see the before and after pictures, look at these ads in magazines or on info-commercials, the common perception is that it must be true if it's in print or on television. No matter how fantastic or unbelievable these ads seem to be, people believe they couldn't advertise it or say it if it wasn't true.

After hearing over two hours of discussion with the panel of media experts about this, let me assure you that there is no "THEY" looking at these ads to see if there is any merit to them at all. No one wants to stop the flow of money coming in. After all, "RESULTS NOT TYPICAL" appears in virtually every weight loss ad and what it really means is, "This probably won't work for you, but give me your money anyway."

My solution, for what it's worth, is that any ad that promises weight loss in excess of ten pounds should be accompanied by a disclaimer in BOLD PRINT stating, THIS PRODUCT OR WEIGHT LOSS PLAN MUST BE ACCOMPANIED WITH A BALANCED DIET AND DAILY EXERCISE OR IT WILL NOT BE SUCCESSFUL.

Let's see if all the experts can sift through all the complications of using the right words and try a bit of common sense.

Bob Belive

112 Birch Lane

Scotia, New York 12302

518-384-1201 Get more from the Web. FREE MSN Explorer download : <http://explorer.msn.com>